

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

Writ Petition No. 1124 (S/S) of 2007

Smt. Seema Bisht

Presently posted as Assistant Teacher Primary School Barshimi,
Block Hawalbagh

District- Almora

-----Petitioner

Versus

1. State of Uttarakhand through Director School Education,
Uttarakhand Dehradun
2. District Education Officer, Almora
3. Additional District Education Officer (Basic), Almora

-----Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Dinesh Chauhan, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has challenged the impugned order dated 31.07.2007, by which the petitioner was transferred from Primary School, Barshimi, Block Hawalbagh, Almora to Primary School Bargalbhath Naveen, Block Hawalbagh, Almora on the ground of surplus teacher as well as order dated 08.08.2007 passed by respondent no. 3 by which he has rejected the representation of the petitioner and directed the petitioner to join the new place of posting in pursuance to the order dated 31.07.2007.

The petitioner has attacked the impugned order on the sole ground that in the order dated 31.07.2007, it is clearly stated that the teacher, who joins the institution in the last, will be transferred. Learned counsel for the petitioner has submitted that

in spite of transferring one Smt. Kanchan Joshi, who joined the institution after the petitioner, the respondents transferred the petitioner, against which the petitioner has represented before respondent no. 3, but her representation was rejected by the order dated 08.08.2007 passed by respondent no.3 in arbitrary manner.

Learned counsel for the petitioner has submitted that raising all her grievances, the petitioner has already moved a representation on 10.08.2007, which is still pending and has also alleged that considering all these circumstances, petitioner should not have been transferred.

Considering the circumstances aforesaid, I deem it fit and proper to direct the District Education Officer, Almora to decide the representation of the petitioner dated 10.08.2007 within a period of two weeks from the date of production of a certified copy of this order before him.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

21.08.2007
VKS